

Message Text

CONFIDENTIAL

PAGE 01 MONROV 04212 221614Z

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ACTION AF-06

INFO OCT-01 ISO-00 L-03 JUSE-00 CIAE-00 DODE-00 INR-07

NSAE-00 PA-01 USIA-06 PRS-01 SP-02 TRSE-00 SNM-02

DEAE-00 IO-10 OMB-01 EB-07 SCS-03 SCA-01 SY-05 FBIE-00

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FM AMEMBASSY MONROVIA

TO SECSTATE WASHDC 6462

C O N F I D E N T I A L MONROVIA 4212

EO 11652: GDS

TAGS: PINS, SHUM, SNAR, SOCI, LI

SUBJ: TEMPORARY SUSPENSION OF HABEUS CORPUS IN LIBERIA

REF: A) MONROVIA 1822, APRIL 4, 1975

B) MONROVIA A-04, JANUARY 23, 1975

SUMMARY: ON 14 JULY PRESIDENT TOLBERT PROCLAIMED THE SUSPENSION OF HABEUS CORPUS FOR CRIMES OF COUNTERFEITING, NARCOTICS OFFENSES, BANK FRAUDS AND FORGERY. APPARENT REASON IS FELT NEED TO SET UP SPECIAL APPARATUS FOR HANDLING THESE CRIMES. SPECULATION THAT GOL HAS OTHER MOTIVES FOR ITS ACTION APPEARS UNFOUNDED AT PRESENT.

1. BY PRESIDENTIAL PROCLAMATION DATED 14 JULY AND PUBLICLY ANNOUNCED 18 JULY, PRESIDENT TOLBERT SUSPENDED HABEUS CORPUS FOR TWELVE MONTHS FOR ANY PERSONS ACCUSED OF DEALING IN COUNTERFEITING, NARCOTIC OR DANGEROUS DRUGS, AND BUSINESS FRAUDS AND FORGERIES. MOVE IS WITHIN PURVIEW OF EMERGENCY POWERS RESTORED TO PRESIDENT BY LEGISLATURE ON FEBRUARY 10. IN PROCLAMATION PRESIDENT CITED QTE SERIOUS DANGER OF COLLAPSE UNQTE OF NATIONAL ECONOMY THROUGH CIRCULATION OF COUNTERFEIT US CURRENCY AND THREAT TO SECURITY OF STATE FROM QTE SURGING WAVE OF CRIMES UNQTE ATTRIBUTED IN PART TO NARCOTICS USAGE.

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PAGE 02 MONROV 04212 221614Z

TWO SPECIAL COMMISSIONS ARE ESTABLISHED AND EMPOWERED TO

SUMMARILY TRY ALL CASES SUBJECT ONLY TO PRESIDENTIAL APPROVAL.

2. EMBASSY BELIEVES MOVE IS OCCASIONED BY PRESIDENT'S FELT NEED TO ESTABLISH SPECIAL PROCEDURES FOR HANDLING CRIME PROBLEM WHICH HAS EXISTED HERE FOR SOME TIME. MARCH 1974 INVESTIGATION OF COUNTERFEITING LED TO SOME ARRESTS, MOST NOTABLY OF THEN-DEPUTY DIRECTOR OF POLICE JOHN PAYNE TUCKER, WHO WAS RELEASED WITHOUT TRIAL, POSSIBLY BECAUSE OF INFLUENCE IN HIGH PLACES OR INSUFFICIENT EVIDENCE. NOW PROBLEM HAS CROPPED UP AGAIN AND TUCKER'S NAME IS RUMORED LINKED TO BOTH COUNTERFEITING AND RECENT \$51,000 ROBBERY HERE FOR WHICH HE WAS ARRESTED ON JULY 21. IT ALREADY ANNOUNCED THAT THOSE ARRESTED IN LATTER CASE WILL BE DEALT WITH UNDER THE TERMS OF THE PROCLAMATION. THEREFORE SEEMS PRESIDENT CONCERNED WITH FAILURE PREVIOUS EFFORTS TO SQUELCH COUNTERFEITING AND POSSIBLY PEEVED WITH RECURRENCE OF ALLEGED TUCKER CONNECTION.

3. BECAUSE OF SUDDENNESS AND DRASTIC NATURE OF PRESIDENT'S MOVE, RUMORS ABOUND THAT HE HAS ULTERIOR MOTIVE, IS TESTING WIND FOR SOMETHING BIGGER, OR CREATING SMOKE SCREEN FOR UNCONNECTED ACTIVITY. BUT EMBASSY SO FAR UNABLE TO UNEARTH ANY COGENT SUPPORT FOR SUCH THEORIZING. MOREOVER, PATTERN OF SUDDEN AND SEEMINGLY EXAGGERATED REACTION TO PARTICULAR INCIDENTS ON GOL'S PART IS ALREADY WELL ESTABLISHED IN GOL RESPONSE TO FIRESTONE LAYOFFS (MONROVIA 1822) AND PORTE CASE (MONROVIA A-04).

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